

*Main Office
400 North Tampa Street, Suite 3200
Tampa, Florida 33602
813/274-6000
813/274-6358 (Fax)*



*Post Office Box 600
200 West Forsyth Street, Room 700
Jacksonville, Florida 32201
904/232-2682
904/232-2620 (Fax)*

*2110 First Street, Suite 3-137
Fort Myers, Florida 33901
941/461-2200
941/461-2219 (fax)*

*U.S. Department of Justice
United States Attorney
Middle District of Florida*

*80 North Hughey Avenue, Room 201
Orlando, Florida 32801
407/648-7500
407/648/7643 (Fax)*

Reply to: Jacksonville, FL

Thursday - November 8, 2001

**SUPERSEDING INDICTMENT NAMES AN ADDITIONAL 12 DEFENDANTS
IN DEFRAUDING MCDONALD'S CORPORATION AND IT'S CUSTOMERS
IN PROMOTIONAL PRIZE CONTESTS**

Jacksonville - United States Attorney Mac Cauley today announced the filing of a superseding indictment in Jacksonville U.S. District Court naming an additional 12 individuals who are charged with defrauding the McDonald's Corporation and it's customers in a promotional prize contest. The 12 are indicted in a conspiracy to commit mail fraud carrying a maximum sentence of five years in prison, a \$250,000 fine and restitution.

The original indictment was filed on September 10, 2001, and named 21 individuals. Of the 33 defendants thus far indicted, eight have pled guilty to a single count of conspiracy to commit mail fraud. (See attachment for those newly indicted and those that have pled guilty)

This investigation was initiated by the Jacksonville Office of the FBI. In addition, the McDonald's Corporation has continued to provide essential assistance in the investigation. This case is being prosecuted by Assistant United States Attorney Mark Devereaux of the Middle District of Florida.

An indictment is merely a formal charge that a defendant has committed a violation of the federal criminal laws, and every defendant is presumed innocent until, and unless, proven guilty.

Indictment Attachment

The following individuals were named in a superseding indictment made public on November 8, 2001, and they were charged with one count of conspiracy to commit mail:

Donald Hart.....age 64.....Atlanta, Georgia
Mark Schwartz.....age 44.....North Miami, Florida
Jerome Pearl.....age 54.....North Lauderdale, Florida
Gary David Pincus.....age 42.....Bettendorf, Iowa
William Mikey Thomas.....age 49.....Eclatic, Alabama
Darold F. Browning.....age 45.....Syracuse, Utah
John Henderson.....age 50.....Las Vegas, Nevada
Carl H. Maine.....age 48.....Dover, Delaware
Stanley Evosevich.....age 60.....Jamul, California
Eric Posnan.....age 52.....Jamison, Pennsylvania
Patrick Doran.....age 34.....Mahwak, New Jersey
Joel Carl.....age 55.....Folly Beach, South Carolina

The following individuals have plead guilty to one count of conspiracy to commit mail fraud:

William R. Fisher.....age 62.....Jacksonville, Florida
Gloria Brown.....age 43.....Jacksonville, Florida
Marvin Braun.....age 58.....Coral Gables, Florida
Stacy L. Breegle.....age 37.....Fredericksburg, Virginia
Michael L. Hoover.....age 56.....Westerly, Rhode Island
Linda Baker.....age 48.....Westminster, South Carolina
Noah Dwight Baker, Sr.....age 49.....Westminster, South Carolina
Victor E. Marchitello.....age 52.....Harrison City, Pennsylvania

NOTE: THIS IS THE ORIGINAL INDICTMENT PRESS RELEASE ISSUED ON
SEPTEMBER 10, 2001

TWENTY ONE INDIVIDUALS INDICTED FOR DEFRAUDING
MCDONALD'S CORP. AND ITS CUSTOMERS
IN PROMOTIONAL PRIZE CONTEST

Jacksonville, FL - United States Attorney for the Middle District of Florida, Mac Cauley, today announced the return of an indictment in U.S. District Court in Jacksonville, FL, naming 21-individuals who are charged with conspiracy to commit mail fraud in a nationwide scheme to defraud the McDonald's Corporation and its customers by fraudulently manipulating McDonald's promotional prize contests. The indictment alleges that as far back as the late 1980's, Jerome P. Jacobson, Director of Security for Simon Marketing Inc., embezzled more than \$20 million worth of high value winning McDonald's promotional game pieces from his employer. The indictment further alleges Jacobson then distributed the winning game pieces to individuals who personally redeemed the game pieces or acted as recruiters and who thereafter, recruited friends, relatives and associates to fraudulently represent themselves as legitimate winners of high-value winning McDonald's promotional game pieces, some of which were valued at \$1 million. Simon Marketing Inc., is headquartered in Los Angeles, California, and has offices in the Atlanta, Georgia, area where Jacobson worked. Simon Marketing Inc., was contracted by McDonald's to administer its promotional games. In addition to the conspiracy charge, Jacobson is charged with eight additional counts of mail fraud.

The FBI investigation called operation "Final Answer" examined games marketed by Simon Marketing Inc., that were alleged to have been "fixed". Those games included:

"Monopoly Game at McDonald's"

"Hatch, Match, and Win"

“When the USA Wins, You Win”

“The Deluxe Monopoly Game”

“The Monopoly and More Game at McDonald’s”

“Disney’s Masterpiece Collection Trivia Challenge at McDonald’s”

“Who Wants to be a Millionaire Game”

“Win on the Spot”

“Pick Your Prize Monopoly”

The investigation was initiated by the Jacksonville Office of the FBI. Numerous FBI field offices throughout the United States have assisted in this continuing investigation. McDonald’s provided essential assistance in the investigation and has cooperated fully with the FBI and the United States Attorney’s Office in the Middle District of Florida.

Conspiracy to commit mail fraud is a violation of Title 18 U.S. Code, Section 1341, which is a violation of Title 18, U.S. Code, Section 371. The maximum penalty for committing a single count of conspiracy to commit mail fraud is five years imprisonment, a \$250,000 fine, and restitution.

An Indictment is merely a formal charge that a defendant has committed a violation of the federal criminal laws, and every defendant is presumed innocent until, and unless, proven guilty. This case is being prosecuted by Assistant United States Attorney Mark Devereaux.

Names and charges of those indicted:

Jerome P. Jacobson.....age 58....Lawrenceville, Georgia
one count conspiracy and eight counts mail fraud
Robin Lisa Colombo.....age 40...Orlando, Florida
one count conspiracy and seven counts mail fraud
William R. Fisher.....age 62...Jacksonville, Florida
one count conspiracy and five counts mail fraud

Gloria Brown.....age 43...Jacksonville, Florida
one count conspiracy and two counts mail fraud
Andrew M. Glomb.....age 58...Ft. Lauderdale, Florida
one count conspiracy and one count mail fraud
James P. Faherty.....age 40...Orlando, Florida
one count conspiracy and one count mail fraud

Each of following are charged with one count of conspiracy to commit mail fraud:

Marvin Braun.....age 58...Coral Gables, Florida
Stacy L. Breegle.....age 37...Fredericksburg, Virginia
George Chandler.....age 29...Westminster, South Carolina
Wiley R. Couturier.....age 59...Marietta, Georgia
John F. Davis.....age 44....Granburg, Texas
Michael L. Hoover.....age 56....Westerly, Rhode Island
Ronald E. Hughey.....age 56....Anderson, South Carolina
Jerry Lee Kenny.....age 42....Front Royal, Virginia
Linda Baker.....age 48....Westminster, South Carolina
Noah Dwight Baker, Sr....age 49....Westminster, South Carolina
Brenda S. Phenix.....age 50....Westminster, South Carolina
Victor E. Marchitello.....age 52....Harrison City, Pennsylvania
Steven L. Sinder.....age 55....Rye Brook, New York
Earl Stuart.....age 67....Miami, Florida
Stanley Warwick.....age 69....Burr Ridge, Illinois